

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Kruger *et al.*                      Art Unit : 3623  
Serial No. : 10/783,323                                      Examiner : Sterrett, Jonathan G  
Filed : 02/20/2004  
Title : SYSTEM AND METHOD FOR ANALYZING AND CORRECTING RETAIL  
DATA

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

We, Michael Kruger, Cheryl Bergeon, and Arvid Johnson, declare as follows:

1. We are co-inventors of the subject matter claimed in the application identified above (“the present application”).

2. At the time the invention claimed in the present application was conceived, we were employed by Information Resources, Inc. in Chicago, IL. After the invention was conceived, it was diligently reduced to practice. Such reduction to practice occurred in Chicago, IL, and occurred on or before July 14, 2003. The reduction to practice functioned for its intended purpose.

3. As evidence of our conception and reduction to practice of the invention, we attach a document hereto as Exhibit A that describes output of a computer program that is a reduction to practice of the present application. Exhibit A was prepared under the supervision of Michael Kruger on July 14, 2003. Confidential information has been redacted from Exhibit A.

5. As is shown in Exhibit A, the reduction to practice involved storing data from at least two data sources, e.g., the data that comprises the validation standard and the panel data. The validation standard reflects actual transactions involving particular products at particular stores (i.e., scanner data). Thus, validation standard data is more accurate than the panel data, for at least the reasons discussed in the present application. Store product identifier and attribute categorizations are redacted to preserve confidential information. However, the data sources can

be seen to overlap on certain (redacted) attributes. This can be seen based on the fact that the data from each data source is graphed on (i.e., compared) on the same coordinate axes and under the same heading. On p. 3 and subsequent pages of Exhibit A, the “modeled” data reflects the result of calculating a factor for the overlapping attribute segments, and using the factors to update the panel data to obtain more accurate modeled data, as described in the present application. The error associated with the panel data (“Orig. Error,” in the lower right corner of the various graphs) decreases after having the factors applied, thus demonstrating the reduction of bias in the panel data.

6. We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

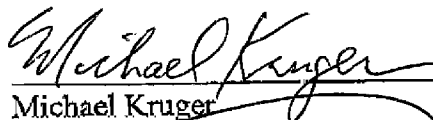
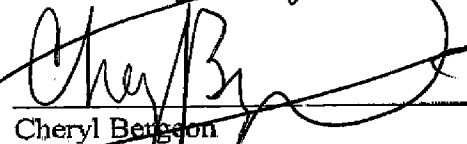
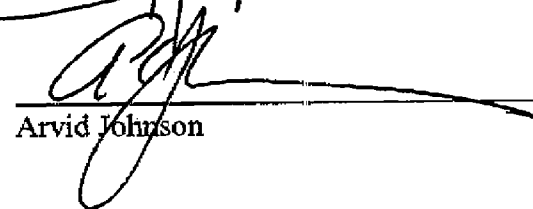
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